

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 10, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DONALD JONES, in his capacity as
Personal Representative of the ESTATE
OF DANTE JONES, and its statutory
beneficiaries,
Plaintiff,
v.

FRANKLIN COUNTY, a municipality,
CODY QUANTRELL, individually and as
an agent of FRANKLIN COUNTY, and
JIM RAYMOND, individually and as an
agent of FRANKLIN COUNTY,
Defendants.

No. 4:22-CV-05138-SAB

**ORDER GRANTING
DEFENDANTS' MOTION TO
SET ASIDE DEFAULT**

Before the Court are Defendant's Motion to Set Aside Clerk's Order of Default (ECF No. 11), ECF No. 13 and Motion to Expedite, ECF No. 15. Plaintiff is represented by Robert Schultz and Brian Davis. Defendant is represented by Patrick McMahon.

Defendants asks the Court to set aside the Clerk's Order of Default that was entered on January 3, 2023. Defendants explain that excusable neglect caused their counsel to miss the deadline for filing an Answer or otherwise responding to Plaintiff's Complaint that was filed on November 17, 2022. Defendant filed their

**ORDER GRANTING DEFENDANTS' MOTION TO SET ASIDE
DEFAULT ~ 1**

1 Answer on the same day as the instant Motion, ECF No. 12.

2 Plaintiff has not filed any opposition to the motions. Good cause exists to
3 grant the motion.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. Defendant's Motion to Expedite, ECF No. 15, is **GRANTED**.

6 2. Defendant's Motion to Set Aside Clerk's Order of Default (ECF No.
7 11), ECF No. 13, is **GRANTED**.

8 3. The Order of Default, ECF No. 11, is **STRICKEN**.

9 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
10 file this Order and provide copies to counsel.

11 **DATED** this 10th day of January 2023.



15
16

A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

17 Stanley A. Bastian
18 Chief United States District Judge
19
20
21
22
23
24
25
26
27
28